

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

ANITA DARBY and JAMES DARBY

PLAINTIFFS

v.

CIVIL ACTION NO. 4:06cv60-TSL-LRA

DART CONTAINER CORPORATION

DEFENDANT

ORDER OF DISMISSAL

Joey Wiggins has informed the Court that the parties have reached a compromise and settlement of all pending claims in this matter. Accordingly, the Court being desirous of removing this matter from its docket;

IT IS, THEREFORE, ORDERED that this action be, and it is hereby dismissed with prejudice as to all parties. If any party fails to consummate this settlement within thirty (30) days, any aggrieved party may reopen the case for enforcement of the settlement agreement within ten (10) days; and if successful, all additional attorneys' fees and costs from this date shall be awarded such aggrieved party or parties against the party failing to consummate the agreement.

IT IS FURTHER ORDERED AND ADJUDGED that this matter having been concluded, all motions pending in this matter, if any, are hereby moot and accordingly dismissed.

SO ORDERED September 17, 2007.

s/ Linda R. Anderson

UNITED STATES MAGISTRATE JUDGE